

Union Calendar No. 473

106TH CONGRESS
2^D SESSION

H. R. 4389

[Report No. 106–812]

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2000

Mr. SCHAFER introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 6, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 ~~In this Act:~~

1 (1) **CONTRACT.**—The term “contract” means
 2 the contract between the United States and the
 3 Northern Colorado Water Conservancy District pro-
 4 viding for the construction of the Colorado-Big
 5 Thompson Project, dated July 5, 1938 (including
 6 any amendments and supplements).

7 (2) **DISTRICT.**—The term “District” means the
 8 Northern Colorado Water Conservancy District.

9 (3) **SECRETARY.**—The term “Secretary” means
 10 the Secretary of the Interior.

11 (4) **TRANSFERRED SINGLE-PURPOSE WATER**
 12 **DISTRIBUTION FACILITIES.**—The term “transferred
 13 single-purpose water distribution facilities” means
 14 the North Poudre Supply Canal and Diversion
 15 Works, also known as the Munroe Gravity Canal,
 16 the Charles Hansen (Supply) Canal and Windsor
 17 Extension and the Dixon Feeder Canal, all of which
 18 are facilities of the Colorado-Big Thompson Project
 19 located in Larimer County, Colorado.

20 **SEC. 2. CONVEYANCE OF TRANSFERRED SINGLE-PURPOSE**
 21 **WATER DISTRIBUTION FACILITIES.**

22 (a) **IN GENERAL.**—The Secretary shall, as soon as
 23 practicable after the date of enactment of this Act and
 24 in accordance with all applicable law, convey all right, title,

1 and interest in and to the transferred single-purpose water
 2 distribution facilities to the District.

3 ~~(b) SALE PRICE.—~~

4 ~~(1) IN GENERAL.—~~The Secretary may accept
 5 from the District \$2,198,406 as consideration for
 6 the conveyance of the transferred single-purpose
 7 water distribution facilities under subsection (a).

8 ~~(2) NO EFFECT ON OBLIGATIONS AND~~
 9 ~~RIGHTS.—~~Except as expressly provided in this Act,
 10 nothing in this Act affects or modifies the obliga-
 11 tions and rights of the District under the contract.

12 ~~(3) PAYMENTS.—~~Except as provided in sub-
 13 section (c), the District shall continue to make such
 14 payments as are required under the contract.

15 ~~(c) CREDIT TOWARD PROJECT REPAYMENT.—~~On
 16 payment by the District of the amount authorized to be
 17 accepted under subsection (b)(1), the amount paid shall
 18 be credited toward repayment of capital costs of the Colo-
 19 rado-Big Thompson Project in an amount equal to the as-
 20 sociated undiscounted obligation for repayment of the cap-
 21 ital costs.

22 **SEC. 3. LIABILITY.**

23 Except as otherwise provided by law, effective on the
 24 date of conveyance of the transferred single-purpose water
 25 distribution facilities under this Act, the United States

1 shall not be liable for damages of any kind arising out
 2 of any act, omission, or occurrence based on any prior
 3 ownership or operation by the United States of the con-
 4 veyed property.

5 **SECTION 1. DEFINITIONS.**

6 *In this Act:*

7 (1) *CONTRACT.*—The term “contract” means the
 8 contract between the United States and the Northern
 9 Colorado Water Conservancy District providing for
 10 the construction of the Colorado-Big Thompson
 11 Project, dated July 5, 1938 (including any amend-
 12 ments and supplements).

13 (2) *DISTRICT.*—The term “District” means the
 14 Northern Colorado Water Conservancy District.

15 (3) *SECRETARY.*—The term “Secretary” means
 16 the Secretary of the Interior.

17 (4) *TRANSFERRED WATER DISTRIBUTION FACILI-*
 18 *TIES.*—The term “transferred water distribution fa-
 19 cilities” means the North Poudre Supply Canal and
 20 Diversion Works, also known as the Munroe Gravity
 21 Canal, the Charles Hansen (Supply) Canal and
 22 Windsor Extension and the Dixon Feeder Canal, all
 23 of which are facilities of the Colorado-Big Thompson
 24 Project located in Larimer County, Colorado.

1 **SEC. 2. CONVEYANCE OF TRANSFERRED WATER DISTRIBUTION FACILITIES.**
2

3 (a) *IN GENERAL.*—*The Secretary shall, as soon as*
4 *practicable after the date of enactment of this Act and in*
5 *accordance with all applicable law, convey all right, title,*
6 *and interest in and to the transferred water distribution*
7 *facilities to the District.*

8 (b) *SALE PRICE.*—

9 (1) *IN GENERAL.*—*The Secretary shall accept*
10 *\$1,948,515 as consideration for the conveyance of the*
11 *transferred water distribution facilities under sub-*
12 *section (a).*

13 (2) *NO EFFECT ON OBLIGATIONS AND RIGHTS.*—
14 *Except as expressly provided in this Act, nothing in*
15 *this Act affects or modifies the obligations and rights*
16 *of the District under the contract.*

17 (3) *PAYMENTS.*—*Except as provided in sub-*
18 *section (c), the District shall continue to make such*
19 *payments as are required under the contract.*

20 (c) *CREDIT TOWARD PROJECT REPAYMENT.*—*On pay-*
21 *ment by the District of the amount authorized to be accepted*
22 *under subsection (b)(1), the amount paid shall be credited*
23 *toward repayment of capital costs of the Colorado-Big*
24 *Thompson Project in an amount equal to the associated*
25 *undiscounted obligation for repayment of the capital costs.*

1 **SEC. 3. LIABILITY.**

2 *Except as otherwise provided by law, effective on the*
3 *date of conveyance of the transferred water distribution fa-*
4 *cilities under this Act, the United States shall not be liable*
5 *for damages of any kind arising out of any act, omission,*
6 *or occurrence based on any prior ownership or operation*
7 *by the United States of the conveyed property.*

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